THE COURTS.

Abrupt Termination to the Templeton Habeas Corpus Proceedings.

A Novel Suit Against Brokers.

. INTERESTING WILL CASE.

Mrs. Sarah Burr has got a judament for \$25,525 against the estate of the late James B. Taylor, on

Joreclosure of a morigage.

Judge Brady held Chambers of the Supreme Court for the past two weeks, and during that time has beard 249 contested motions, besides dis. posing of the ex parce business. Judge Davis will hold Chambers for the residue of the month, commencing on Monday, and Judge Brady will hold

the Court of Oyer and Terminer.

The return has been filed in the matter of The People ex rel. The New York Dispensary vs. Green, to compel the leasing by the city, for dispensary purposes, of the premises at the corner of Centre and White streets. The Comptroller says that only \$75,000 was allowed for leasing pro, erty and this has been already appropriated, and will be more than exhausted if the No. 27 Chambers street case, new sub judici, be decided against him.

The Queens County Court and Court of Sessions. luage Joan J. Armstrong presiding, will convene at North Hempstead to-morrow. The civil calen-dar is quite heavy and there are a number of criminal cases of interest to be tried.

THE TEMPLETON CHILD CASE. Alter several months' litigation the Templeton thild case came yesterday to a sudden and abrupt ermination. Mrs. Ida Maud Templeton sought, through a nabeas corpus, to obtain the custody of per infant son, who was being supported and taken care of by Colonel William C. Templeton, his grandfather, living at Nyack. Both Colonel Templeton and his family had become greatly attached to the calld, and, in consequence, were unwilling to give him up unless ordered by the Court, the ground of objection being that | rs. fempleton was an improper person to have the hare of her child. A large amount of testimony was taken be one Judge Donohne, of the Supreme Court, Mr. John D. Townsend appearing as countel for Colonel Templeton and ex-Judge Busteed for Airs, Templeton. The case was set down for a urther hearing yesterday, when Judge Bosteed, rising, unfolded a hote from brs. Templeton, and after addressing the Court Judge Rosteed, rising, unfolded a note from Mrs. Templeton, and after addressing the Court a expressions of manks for "judicial kindness" mown in the case, read the note, which bore date the lifth that, and in brief directed Mr. Busteed to amendment her application for the custody of fer son. Reference was therein made to an enclosed letter from Mrs. Templeton to Judge Dononne, but the contents of this epistle were not read or stated claser by Judge Busteed or Judge Dononne. Mr. Busteed having taken his seaf, Mr. Iownsend rose to address the Court, but scarcely had ne commenced his remarks when Mr. Busteed also rose and left the court. His tee, less flighty than his opponent's tongue, had not, however, carried him beyond the doorshi before the remarks of Mr. Townsend from the case, long contemplated by Judge Basteed and now so properly elected under the written instructions of his client, should not prevent him from preventing to the Court the rights of his client, as abundantly snown by the evidence in the case.

Mr. Townsend thereupon proceeded to state to

sent nim from presenting to the Court the rights of his client, as abundantly snown by the evidence in the case.

Mr. Townsend thereupon proceeded to state to the Court that the strange sickness of Mrs. Templeton since her cross-examination foreboded the present action, and he insisted that this woman, after having so persistently harassed the immit of colonel templeton, should not be allowed to on the pending proceedings before his Honor, just short of a decision, the necessary nature of which must have been anticipated by her a ter she stood convected from out of her own mouth of oeing an unit person to have the care of her child. He then reminded the Court that the State did not look to any other merest where that of an inhant was placed at hazard except the best interests of the himmi; that both pare its stood back against tots subteme obligation; that Mrs. Templeton, having shown herself is the proceedings afterly unfit to be intrusted with the trust of the child, a stop should be put to a repetition of her application upon the same state of facis; at least in the shape of an order that, previous to her rene wing this sort of application, she should pay the heavy expenses ane had caused to be incurred by the description, and desired Mr. Judge Donohne said that he would take the snoject into consideration, and desired Mr. Itowassend to present his views in the form of an order that he thought should be made, and that he would consult with his associate jugges in regard to the matter and give an early decision.

INTERESTING TO BROKERS.

The soit of Goodwin and others vs. Enstein. Rosenfeldt & Co. has been just decided by Judge Van Vorst. The case was heard in the St Court, special Term, and arose in tois way :-Plain: Id's employed delendants, who are brokers, to deal in gold for them, and deposited \$50,000 in bonds as security. A balance was due to plainand on the first account, and on a second, opened by Rosenields with plaintiffs without the anowiedge of his partners, a debit arose, wiping out the first credit to plaintiffs. After this Resented tailed and made assignment for the benefit of his recontrors. On an accounting with his partners his share of the profits was found to be \$60,000. Plaintiffs sued for the return of their collaterass, claiming that defendants had overcontreed them and had promised, tarough Resentedt, to reduce the marges, and that Horenfeld's \$60,000 should be a set off against any debt plaintiffs to defendants, octore it could be turned over to the assigner for the benefit of Resenfeat's creditors. Judge Van Vorst decides that there is no ground or an accountmit; that any promise to plaintiffs by Rosenheid did not that his partners, since it was made for his individual pecunary interess, and that plaintiffs have an superior equity to nave their judgment and counted in fini from the smount due to Rosenheidt's general creditors. first credit to plain life. After this Rosenfeldt

A NOVEL WILL CASE.

A will case is at present before Surrogate Hedges, or Saffolk county, walou is the cause of considerable interest and no little excitement. urs. Nancy Smith, widow of the late Captain ionas Smith, recently died at Scony Brook, and the probate of the will is opposed. It appears in the proceedings thus far had before the Surrogate, that Captain Smith died at Stony Brook only a few years ago, leaving a large estate which ne bad accumulated to a sea-faring it e. Having no children, in his will be made provision for a number of bequests of comparatively small amounts to ber of bequests of comparatively somin amounts to relatives, and then gave the entire residue to his wire Nancy, with the pravi-ion, nowever, that his executors should first expend \$20,000 in erecting a monument to his mannery, at his burist blace at setament. But his executor and next of kin udged that tall provision was not wire, and only about \$3,000 were expend don the monument, the balance going with the bolk of the estate. Mrs. Smith at her dental let about \$200,000 in money bonds, &c. Her will, the vanishy of which is how in dispute, disposes of but a simil portion of this amount in bequesis to reintives; \$5,000 to \$1, James' church, which is telered to nave beeth the result of our side indusine; and the entire results is devised to a niece, a Mrs. Norton, with whom Mrs. Smith had been living for a number of years, and woo had taken care of her period; as well as of lerestate. Mrs. Smith was hearly elgary years old, and was very inlied, and it is in lieged by the contestants that she had become inductive to seek an extent that she had been exer ed upon her by hirs. Notion and others in her inverse, Mrs. Smith throughout her life was considered a most animals and a hid-hearted women, and one whose relatives and treads nor with had she had been under the control of hirs. Notion, Entired the eminate of the eminate and a hid-hearted women, and one whose relatives and treads one with had she had been under the control of hirs. Notion. Entirect compared to the eminate of the emina relatives, and then gave the entire residue to his

DECISIONS.

SUPREME COURT-CHAMBERS. By Judge Donohue.

By Judge Donohue.

Be Witt vs. Marin.—Plaintid may have order allowing min to renew a payment of \$10 costs.

19 Judge Br.dy.

Cark vs. McCormack, Groie v. Cornell; Chitch vs. Brown; Pleasants v. McCrea; Camoels vz.

Gano; in the matter of the Pre-meht and Trust.es b two American Timber and Manufacturing Compuny.—Granicod.

Welles vs. Bowignes.—Order granted.

Inc. T. orthing of Simon Benevolent Society.—

Ubject too indefinitely stated.

Colleman vs. Bull.—Helerced to N. Jarvie, Jr. to take proof of the facts and to report whener it will be for the interest of the initiats to commence service.

scrion.

Fendels vs. James.—In consultation with Justice Donotine, and on the payers submitted, I am sat show that the star smouth not be granted unless the consultation the payment by deposited with

the Clerk of the Court to meet the plaintiff's | By Judge Westorook.

Moore vs. Clark.—Motion granted on payment of \$10 c. sis and ten days to answer after service of complaint. Same rule in each case.

Brett vs. Mackie.—Fundings settled.
Palmer vs. The Mayor, &c.—Judgment for plaintiff on demurrer.
Sutton vs. Davis.—Discontinued without costs.
Braut vs. Crygler.—Motion denied. SUPERIOR COURT-SPECIAL TERM.

SUPREME COURT-SPECIAL TERM.

By Judge Speir. Schalk vs. Riss.—Referred to Thomas S. Cottman. Chapman vs. Phoenix National Bank of the City of New York.—Findings settled. COMMON PLEAS - SPECIAL TRIM

Weble vs. Having Large Loew.

Weble vs. Having, Motion that exceptions be neard in the first instance at General Term for a stay of proceedings, in the meantime denied, without costs. Copnorty vs. Connolly,-Judgment of divorce granted and custody of child awarded to the

planned.

Rob r: vs. Nocke.—I am informed by the referee that he did not dismiss these proceedings. The counsel should, therefore, appear before me at such time as they may agree on.

Braper vs. Kutaico.—Motion to file amended answer granted on conditions. See memorandum.

MARINE COURT-CHAMBERS.

By Judge Josephinsen. De Welf vs. Offinger.—Motion to advance cause Rogers vs. Delaney.—Motion to open inquest granted. vs. Talcott.-Motion granted, with \$25 costs to defendant. Kaumer vs. Lindner.-Motion to dismiss on

Fernstein vs. Inducer.—Motion to dismiss on terms granted, Fernstein vs. Isider.—Execution set aside, &c. The Mechanics and fraders' National Bank vs. Baldwin.—Motion granted. Conkin vs. Reardon.—Motion to open default granted. Waslen vs. McAdams.—Motion granted. Defen-

Wasen vs. Meadanna dani attached.
Burbank vs. Kleckner.—Motion debied.
Bunn vs. Hemessey.—Motion granted.
Bruts vs. McDonough.—Desendant may come in on conditions. n conditions. Funders vs. Glasson.—Motion granted. Bank of North America vs. Riker.—Deduct \$35

Same vs. Davis.-Deduct \$45 from costs. No costs of motions,
Botte vs. Erbe.--Motion will be denied on terms. wemple vs. Erbe.—Motion will be denied on terms.
Wemple vs. Bayles; Saine vs. Appleton; Wyatt
vs. Mayer; Pofter vs. Graham; Udali vs. Schenck;
Bradbury vs. Bellews; Atschinson vs. Bellews;
Wanrenberger vs. Fround; Stark vs. Hamberger;
Simon vs. Rosen; Hiller vs. Conner; Lion vs. Sambela; Michel vs. Clark; Goldstein vs. Cagney;
Maynan vs. Green; Hav vs. Pozeler.—Motions to
advance causes granted.

COURT OF SPECIAL SESSIONS. Before Justices Morgan, Kasmire and Fiammer. The following cases were disposed of yester-

John Connolly, convicted of stealing \$3 from Thomas Kearns, got two months on the I sland. Charles Dempsey and David W. Ostrander were fined respectively \$10 and \$25 for driving horses unnt for use. Ar. Bergh asked for a reduction or remission of the latter fine, as Ostrander was a

very poor man.
Patrick Cannon was sent to the Catholic Protectory for stealing ladies' underwear.
Maria McDoole, of No. 321 East Twenty-fifth
street, accused on stealing a pair of gold rings,
was tried and honorably acquitted.

> TOMBS POLICE COURT. Before Justice Duffy. WANTED TO GO WEST.

Patrick J. Ryan, aged sixteen; residing at No. 190 Henry street, was charged with stealing \$600 from his cousin, Charles Ryan, of No. 27 Charles street. The prisoner was arrested at Sweeny's Hotel by Detective Dorcey and Officer Fogarty, of the Sixth precinct. He was equipped for travelling, had a value filled with new sairts that he the had not read a value fall with new sairts that he had just purchased. hair combs, brushes, &c. desides a very handsome, sliver mounted revolver. He was preparing, he said, to start for the plains. It appears that Patrick had been on a visit to his cousia's a use, and while there was sent upstairs to a room to ket some clothes. While there be opened a trunk wherein was the money, and took it. Arcourt he conlessed having taken \$500. He was held for trial at the General Sessions.

A QUESTIONABLE TRANSACTION. Charles A. Menges, of Hudson, N. J., a respectable looking man, was accused of stealing a draft for \$140 88. The circumstances, as set forth in the complaint, are as follows:—Menges gave S. V. Moirs, of No. 378 Pearl street, the draft in question in payment of a debt. It was drawn upon tion in payment of a deet. It was drawn upon teastmin & Brothers, Toledo, Onio, to whomit was notwarded and who sent it back unaccepted. Ar. Morrs immediately returned the oneck to Menges, who fore it up. Hence the charge. The accused gave ball in the sum of \$500 to answer. ONE OF THE CHAIN GANG.

Michael Read was arraigned on complaint of Henry Hus edt, of No. \$5 Park street, who charged that walle crossing the City Hail Park resterday at noon the prisoner grabbed his gold watch casin and attempted to steal it. Beld for trial

BROOKLYN COURTS.

THE OF OVER AND TERMINER. MERRICAN FOR THE MURDER OF MARGARET HAMMILL-THE CASE REOPENED BY THE PROSECUTION. Before Judges Pratt, Wolfert and Voorbles,

Yesterday morning the trial of Mrs. Saran C. Merrigan, for the alleged murder of Margaret Hammill, was resumed in the Kings County Court of Oyer and Terminer, and, owing to the interest leit in the decision on the motion of Assistant District Attorney Moore for the reopening of the case to allow the introduction or additional evidence for the prosecution, a large number of lawyers were in attendance. The prisoner, accompanied by her husband, mother and daughter. sat near her counsel, General Tracy and Patrick Keady. Upon the opening of the Court Judge Pract monired is the counsel for the defence desired to be heard lurther on the question of reopening the case.

General Tracy replied to the affirmative, and

cited from Wheeler's Criminal Law the case of The People vs. Demmoit, where the Court decided against the prosecution offering further testiony, on the ground that there must be a rule, and it must be enforced, no matter how important the testimeny. Counsel argued that the prosecution, in fact, desired to introduce a new case and contradict their own witnesses. They did not desire to come in and confirm their case as made out, or to supply a technical detect, but to overthrow their own testimony by calling witne-ses whose attendance had not been deemed necessary. He submitted that such a proposition necessary. He submitted that such a proposition was never heard of belove in a capital case. In a civil case, where so he technical matter had been overlooked, as, for instance, the proof of a bout charte, such a proceeding might be allowed, but not to make out a new case of fresh testimony. The Assistant District A former said that in the case of the People vs. Demost the counse, had proceeded to such up, and then the Judge refused to reoped the case. The testimony of all the wilnesses, with the exception of Mrs. Kapp, went to show that Mrs. merrigan was alone with her triend, the point was merely a technical one, said graviting it would be encouraging justice, especially when it was within the discretion of the Coutt.

sand gravility in the discretion of the Court.
General Tracy said he did not concede that the matter was within the discretion of the Court.
Alter Mr. core and clied the law upon the question of discretion General Tracy asserted that the evidence for the prosecution fell has short of a proof of gair, and therefore the celence destred the case to zo the jury as it stood.
Judge tract said the view of the Court was that the question was purely discretionary. They industrate testimony should be admitted. A case of such importance movid be these upon its herits, and they were of the optation that they could not do otherwise than udulit the testimony.

General Tracy said that the action of the Court placed the defence in a very emparassing position. After they had revised their case and begun to sum up they were that with a new case, upon less evidence, for which inch had made no preparation.

to sum up they were that with a new case, upon new evidence, for which they had made he preparation.

Assistant District Attorney Moore replied that it did not affect the delence, which was the sume as on the previous trail as shown by their cross-examination of witnesses who had been in the stand and too presence in court of witnesses who had testilled to the insulty of the acousted.

General Fracy toen objected formally to the reopenium of the case and took and exception to the ruling of the door.

The case for the beople was reopened, and Edward clart of No. 370 thand street, was called as the first witness. He testified that he was a star bander by thade; James Menigan worked for witness in september, 1873; he was at work on the morning of the zin of that mouth.

General Fracy objected to any testimony which would contrained any of the other winnesses for the prosecution, claiming that they now offered evidence to disprove that of Mrs. Aipp in regard to the resonce of Mrs. Merrigan in his house of the auternoon of September 2. He canneed that there was a surprise and was prepared to show that the even a surprise and was prepared to show that the even a surprise and was prepared to show that the even a surprise and was prepared to show that the testified that the only person in the locate.

at the time of Miss flammill's death was hereal, her oaby and the deceas d.

General Tracy contended that the evidence was introduced and given on the theory of the insanity of the defendant. The prosecution had no right to rest facir case on the theory of the defende.

After some intriner discussion the Court admitted the testimony and counsel took an exception. Withous said he saw Mr. Merrigan between seven and hine o'clock on the mirming of Septembe 2; saw him again at two o'clock, on the alteroon of the same day at a building in South Second street, where he was working for witness; the place in South Second street, where he was working to reviewes; the place in South Second street, where he was working to reviewed blocks from his mouse; had a man and a boy beside Mr. Merrigan working there on freeday; witness knew it was on that day, because it was the say before he was arrested; and not know where Merrigan took his dinner on that day; sent the floy to Greenpoint in the alternoon and remained in South Second street; with Merrigan.

Robert Hand, Fesiding at Union and South Second streets, testified that he worked for Hart in September, 1873; commenced work with Merrigan on the first day of that month at the house in South Second street; saw him on thur-day at the same place, about seven o'clock; at noon, on the 2d, he went out to dimner and came tack a lattle before one o'clock, remaining with him till about three o'clock; went away then and came bork at a quarter to five; Merrigan was there and witness remained with him till six o'clock.

The prosecution nere rested, and the Court adjourned until Monday morning, when Mr. Kendy will care a class of the court adjourned and the c

The prosecution here rested, and the Court ad-journed until Monday morning, when Mr. Keady will open or the delence.

A COMEDIAN'S LIVE STOCK.

Mr. Joseph Jefferson, the comedian, who inends to spend two years in Europe for the benefit of his health, yesterday sold at public auction, through Messes, Barker & Sons, of Thirty-ninth street and Broadway, the following stock :- Pair street and Broadway, the following stock:- Pair hay carriage norses, \$250; one set gold mounted harness, \$10: Brewster Victoria, \$310: pair blankets, \$16: pair blankets, \$15: one set double harness for ponies, \$75; one set double harness, \$11: Park phieton, \$85: pair blankets, \$31: child's pina; \$100: set single pony narness, \$31: child's pination, \$160: coule, \$250: coupe harness, \$32: Alcorney onli Emperor, \$55: Aiderney cow Cares, \$97.50; Aiderney cow Cares, \$97.50; Aiderney cow Cares, \$97.50; Aiderney cow Nelly, \$100-purchased by Judge Fullerion; Aiderney heiler Daisy, \$140. nd a two year old Alderney heiler, \$120-purchased by A. H. Raynor.

HOUSES, ROOMS, &C., WANTED. In this City and Brooklyn.

FURNISHED SQUARE ROOM, WITH WATER, BATH and gas, wanted by a genterman of quiet habits, without board; if agreeable will be taken it.ra year; reference given; no objection to a private family. Adversa, naming rent ber month, J. K. D., Hernid office. WANTED-BY A LADY, A PREASANT ROOM, FUR. to Grand Central depot or on the Hadson. Address stating terms and full particulars, JUNE, Herald Up town Branch office.

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WANTED-BY A GENTLEMAN AND HIS WIFE (NO more in innity) Part of a House in a respectable locality in New York, Brooklyn or Jersey; taree or lour good recone, convenient for housekeefling; must have both and modern improvements and only one other family occupying the house; rent not to exceed \$2.5 per mouth. Address John Shaw, box 4,60 Post office, N. Y. WANTED-FOR A FAMILY OF ADULES, THE Lower Part of a House, seven rooms: reat must be moderate. Andress M. O. E., Herald Uptown Branch

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For Other Advertisements Under This Heading See Directory.

POLITICAL.

A CARD.—AT THE RECENT MEETING OF OPPOsition democrats of the Twentieth Assembly districting name was used without authority.
Office acceptance of the Market REDORFF,

Seventh Assembly District opposed to
the personal distatoratio of the manner hall, and willing
to work for true "home rule," by assisting in the estabinhment of an organization to originate with the perply are requested to infundately send their names and
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POPULAR LECTURE.-THE REV. W. H. MICKLE A wall deliver a lecture on the "Baule of Getty-burk, on Thursday evening, June 24, 1875, at the Esptiss church usest Filty-first street, near Tenth avenue. Processo Benjamin will preside at the organ. Tickets 25 cents. CIRCULARS, TICKETS, PROGRAMMES, POSTERS, Pamphiets and all other Printing for lecturers and readers some at low rates, by the METROPOLITAN PRINTING ESTABLISHMENT, 718 Broadway, N. Y.

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MISCELLANEOUS.

PATENT PLASTER CEILINGS AND PARTITIONS put up within five days; but inthe durt and disturbance; southern and structure; ignitions and directors. For and a 200, left structures.

TO YAOHFMON-SHONES OUNS, UNITED STATES SHARMED, in an analytic of the Control of th TO MINARS AND WINING M N - TOUR NOTICE I's collect to Cark's Lesupharizor, parented Maron 9, 1875, upon an enarcit new principle less satisfactory ores traced free organisms. TURizon 4 chark 25; outh Third street, Philaduphia. WANFED-TO CONTRACT FOR LL HIS WET orsiones but the brewer made for one year, by a responsive party, for each, wis will guardnee to remain the organization of the party flower with the second of the party flower will be the party flower with the party flower with the party flower will be the party flower with the party flower wit

AT SN-BOOKKERPING FOR BUSINESS MEN.Nesses DOLB AR 1197 Broadway, teach double
entry practically as used in the best New York house
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